

Appl. No. 10/672,568
RCE, dated November 1, 2004
Reply to Office Action of September 1, 2004

The listing of claims and the claims will replace all prior listings and versions of claims and listings of claims to the application.

Claim 1-currently amended

Claim 2 -- currently canceled without prejudice

Claims 3-4 -- currently amended

Claim 5 - original

Claims 6-7-currently amended

Claim 8-original

Claim 9 -- currently amended

Claims 10-11 -- currently canceled without prejudice

Claims 12-13-currently amended

Claims 14 and 15- previously cancelled without prejudice

Claim 16 -- new

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Claims:

1. (2nd time amended): A safety bathtub comprising:

a plastic tub shell having an integrally pre-formed thermometer-receiving recess in an at least one-upstanding wall of said shell;

said recess being formed with a portion below a recommended water level line and a portion above said recommended water level line; and

a built-in thermometer in said recess wall, said thermometer including a measuring portion and a scale portion, and said thermometer being mounted such that said measuring portion is immersed in water when the bathtub has water in it up to said recommended water level line, and said scale portion is out of the water when the bathtub has water in it up to said recommended water level line, for continual temperature monitoring during use by a person outside and above the bathtub.

2. (Cancelled) ~~The safety bathtub according to claim 1, wherein said thermometer is mounted in a recess pre-formed in the wall of the bathtub.~~

3. (Currently amended) The safety bathtub according to claim 12, wherein said thermometer is releasably mounted by friction in snap-fit into said recess.

4. (Currently amended) The safety bathtub according to claim 1, wherein said thermometer is permanently mounted in said recess wall.

5. (Original) The safety bathtub according to claim 1, wherein said thermometer is a digital thermometer.

6. (Currently amended) The safety bathtub according to claim 1, wherein said thermometer is bent at an angle such that said measuring portion is beneath said recommended water level line while said scale portion faces upwards on a top lip of said tub shell.

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7. (Currently amended) The safety bathtub according to claim 1, wherein said thermometer is mounted-seated within said recess flush with said wall, so as not to protrude or extend into the bathtub.

8. (Original) The safety bathtub according to claim 1, wherein said bathtub is a portable baby's bathtub formed of plastic.

9. (Currently amended) The safety bathtub according to claim 8, wherein said thermometer is mounted-seated within said recess flush with said wall, so as not to protrude or extend into the bathtub.

10. (Canceled) ~~The safety bathtub according to claim 8, wherein said thermometer is mounted in a recess pre-formed in the wall of the bathtub.~~

11. (Canceled) ~~A safety bathtub including a shell with an upstanding wall, and a thermometer receiving recess formed in said wall, said recess being located partially beneath a recommended water level line, and partially above said recommended water level line, thereby permitting monitoring by a person outside and above the bathtub.~~

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12. (2nd time amended) A method of forming a safety bathtub comprising the steps of:

forming a plastic tub shell having an integrally pre-formed thermometer-receiving recess in an upstanding wall of said shell;

said recess being formed with a portion below a recommended water level line and a portion above said recommended water level line; and

mounting a thermometer, including a temperature measuring portion and a scale portion, in said recess-wall of a bathtub, to form a built-in thermometer, such that arranging said temperature measuring portion is immersed in water when the bathtub has water in it up to said beneath a recommended water level line, and at least a portion of said scale portion is out of the water when the bathtub has water in it up to above said recommended water level line, to permit continuous monitoring of the temperature during use in said bathtub beneath said water level line by a person outside and above the bathtub.

13. (2nd time amended) The method according to claim 12, ~~further comprising the step of forming a recess in said bathtub wall, and wherein said step of mounting includes mounting seating said thermometer within in said recess flush with said wall, so as not to protrude or extend into the bathtub.~~

14. (cancelled) ~~The method according to claim 12, further comprising preparing pre-formed clips on the bathtub, to allow mounting a thermometer with a measuring portion beneath a recommended water level line, and a scale portion above the recommended water level line.~~

15. (cancelled) ~~The method according to claim 14, further comprising preparing pre-formed clips on the bathtub, to allow mounting a thermometer with a measuring portion beneath a recommended water level line, and a scale portion above the recommended water level line.~~

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16. (new) The method according to claim 12, wherein said step of forming includes forming said tub shell with said recess integrally pre-formed partially in an upstanding wall of said shell and extending into a top lip of said shell, and further including providing a thermometer bent at an angle and seating said bent thermometer in said recess such that said measuring portion is mounted in said upstanding wall while said scale portion faces upwards on said top lip.